IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

W.P (C) No. 35510 of 2007-(B)

PETITIONER:

SIBI JOSEPH, OOROTH HOUSE,
VINLANGU P.O. KIZHAKKAMBALAM,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.RAJU JOSEPH

RESPONDENTS:
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1. **THE CHAIRMAN,**
   KERALA STATE HOUSING BOARD,
   HOUSING BOARD BUILDINGS,
   THIRUVANANTHAPURAM.

2. **THE EXECUTIVE ENGINEER,**
   KERALA STATE HOUSING BOARD,
   IDUKKI DIVISION, KATTAPANA.

BY ADV. SRI. A. JAYAKUMAR, SC FOR Rs

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 35510 OF 2007 - B

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Dated this the 4th day of December, 2007

J U D G M E N T

Petitioner is a tenant under the respondents. The prayer in this writ petition is not to proceed further pursuant to Exts. P1 to P3 notices until the dispute on the amount payable towards rent and the expenses towards common amenities is resolved. Petitioner has raised these grievances before the 2nd respondent by filing Ext. P4 and reply to Ext. P4 has not yet been given. Exts. P2 and P3 communications concern two other rooms in the same building, but the allotment of which is in the name of other persons.

2. Standing Counsel for the Board though admits for having received Ext. P4 from the petitioner, submits that in so far as Exts. P2 and P3 are concerned the petitioner has no claim as the two rooms are allotted to two others.

3. Since the grievance of the petitioner is regarding the amount payable towards rent and other dues and as the petitioner has already placed the issue before the 2nd respondent by filing Ext.

P4, I direct that the 2nd respondent shall furnish details of the liabilities of the petitioner as quantified by him. In order to enable the petitioner to get those details I direct that the petitioner shall appear before the 2nd respondent on 10-12-2007 at 11 a.m. in which event the 2nd respondent shall furnish the details of the quantification that he has made.

4. On receipt of such details from the 2nd respondent, in case the petitioner has any dispute in regard to the quantification, it will be open to him to approach the Secretary of the 1st respondent Board. If the petitioner moves the Secretary as indicated above, it will be open to the petitioner to represent to the Secretary of the Board for instalment facility to discharge the liability. If the petitioner makes such a request the Secretary shall consider the same and pass orders in that. Needless to say, until the issue is resolved as above, the tenancy of the petitioner will not be disturbed.

The writ petition is disposed of as above.

ANTONY DOMINIC
JUDGE

jan/-